

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
TODD KREISLER,

Plaintiff,

ANSWER

-v-

60th STREET RESTAURANT CORP.,
a NEW YORK CORPORATION,
d/b/a PATSY'S PIZZERIA and
P.T.Z. REALTY, LLC, NEW YORK LIMITED
LIABILITY COMPANY

**09SCIV8618
(Judge Baron)
Defendants Demand
Trial by Jury**

Defendants.

Defendants, 60th Street Restaurant Corp. and P.T.Z. Realty L.L.C., by their attorneys,
Palmeri & Gaven, as and for their answer to the complaint, state as follows:

1. Deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph 1 of the complaint.
2. Deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph 2 of the complaint.
3. Deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph 3 of the complaint.
4. Admit the allegations in paragraph 4 of the complaint.
5. Deny knowledge or information sufficient to form a belief as to the allegations contained in paragraph 5 of the complaint.
6. Admit the allegations contained in paragraph 6 of the complaint.
7. Admit the allegations contained in paragraph 7 of the complaint.
8. Admit the allegations contained in paragraph 8 of the complaint.
9. Deny the allegation contained in paragraph 9 of the complaint.
10. Deny the allegations contained in paragraph 10 of the complaint.

11. Deny the allegations contained in paragraph 11 of the complaint.

12. With respect to paragraph 12 admit that regulations to implement the requirements for ADA have been implemented and refer their interpretation to the Court.

13. Deny the allegations contained in paragraph 13 of the complaint.

14. Deny the allegations contained in paragraph 14 of the complaint.

15. Deny the allegations contained in paragraph 15 of the complaint.

16. Deny the allegations contained in paragraph 16 of the complaint.

17. Admit the allegations contained in paragraph 17 of the complaint.

18. Deny the allegations contained in paragraph 18 of the complaint.

19. Defendants repeat, reiterate and reallege each and every denial in paragraphs 1-16 of the complaint with the same force and effect as if the same were more fully set forth at length herein.

20. Deny the allegations contained in paragraph 20 in the complaint.

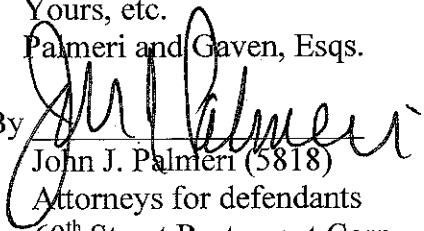
21. With respect to paragraph 21 admit that the law has injunctive relief, deny that relief as it pertains to these defendants, and refers all questions of law to the Court.

WHEREFORE, defendants demand judgment dismissing the complaint together with costs, disbursements and reasonable attorneys fees.

Dated: New York NY
December 3, 2009

Yours, etc.
Palmeri and Gaven, Esqs.

By


John J. Palmeri (5818)
Attorneys for defendants
60th Street Restaurant Corp.
& P.T.Z. Realty LLC
80 Maiden Lane, Suite 505
New York, NY 10038
(212)-608-1717

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
TODD KREISLER ,

Plaintiff,

AFFIDAVIT OF SERVICE

-v-

09SCIV8618
(Judge Baron)

60th STREET RESTAURANT CORP.,
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Defendants.

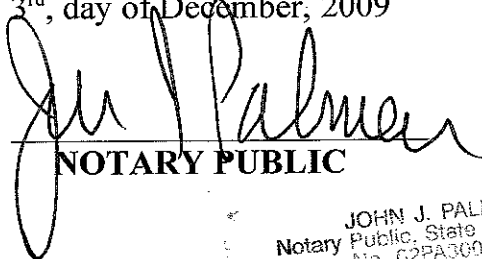
STATE OF NEW YORK)
 : SS:
COUNTY OF NEW YORK)

Jessica Torres, being duly sworn, deposes and says: That deponent is not a party to this action, is over 18 years of age and resides at **Brooklyn, New York**. That on **December 3, 2009** deponent served the **Answer** on

Adam T. Shore, Esq.
Attorney for Plaintiff
15 Bank St., Rm. # 111L
White Plains, New York 10606

by depositing a true copy of same in a sealed wrapper directed to said attorney(s) at the address designated by said attorney(s) for that purpose enclosed in a postpaid properly addressed envelope, in an official depository under the exclusive care and custody of the United States Postal Service within New York State, in compliance with CPLR 2103.

Sworn to before me this
3rd, day of December, 2009


NOTARY PUBLIC


JESSICA TORRES

JOHN J. PALMERI
Notary Public, State of New York
No. 02PA0006356
Qualified in Richmond County
Term Expires June 30, 20 11

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ANSWER

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Attorneys for Defendants
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